



Minutes
WATER RESOURCES ADVISORY COMMISSION
Monthly Meeting

January 02, 2014, 9:00 AM
 District Headquarters - B-1 Auditorium
 3301 Gun Club Road
 West Palm Beach, FL 33406

Attendee Name	Status
Douglas Yoder	Present
Samantha Whitcraft	Absent
D. Albrey Arrington	Absent
Jeff Ward	Absent
Shelley Vana	Present
Douglas Bournique	Present
Bob Ulevich	Present
Chuck Collins	Absent
Harry Cronin	Absent
Ray Scott	Present
Vincent Encomio	Absent
Jim Reynolds	Absent
John Renfrow	Absent
Kurt Harclerode	Absent
Michael Harford	Absent
Mark Perry	Present
James Humble	Present
Kristin Jacobs	Absent
George L Jones	Present
Susan Kaynor	Absent
William "Chad" Kennedy	Present
John T. Lamkin	Absent
Joan Lawrence	Absent
Barbara Miedema	Present
Linda McCarthy	Present
Kimberly Lawrence	Present
Newton Cook	Present
Don Fox	Absent
Mary Ann Martin	Absent
Bevin Beaudet	Absent
Brian L. Wheeler	Present
Joe Capra	Present

Bud Howard	Absent
Michael Collins	Present
Medora Krome	Absent
James Erskine	Present
Dennis Duke	Absent
John Lesman	Present
Ashley Tripp	Absent
Maelo Reyes	Absent
Rich Budell	Absent
Malcolm Wade	Absent
Jacqui Thurlow-Lippisch	Present
Neale Montgomery	Present
Harry Raucher	Absent
Pat Martin	Absent
Joshua Kellam	Present
Cherise Maples	Absent
Lance R. Bennett	Present
Erin Deady	Present
Adam Gelber	Present
Jane Graham	Present
Greg Knecht	Absent
Jason Liechty	Present
Tom Jones	Absent
Mike Sweeney	Present
Pam Keyes	Absent
Jenny Conner Nelms	Absent
Nancy Payton	Present
Deena Reppen	Absent
Karson Turner	Present
Timothy Sargent	Present
Kevin Powers	Absent
Stacy Myers	Present

2. Call to Order - Tim Sargent, WRAC Chairman

Mr. Sargent called the meeting to order at 9:12, wished everyone a happy new year and announced changes to the agenda.

3. Staff Reports

Staff provided an update on the South Florida Ecosystem Restoration Task Force meeting held in Washington, DC on December 17, 2013.

4. WRAC Member Issues

WRAC Recreation Issues Chair, Newton Cook provided a report to the WRAC from the Issues meeting held on December 16th.

Chad Kennedy, Florida Department of Environmental Protection, stated that in its first quarter FDEP would be hosting a workshop on Human Health Criteria for Priority Pollutants and a workshop on reclassification of Class 3 waters to Class 1, which emails and other communications would be posted soon. Mr. Kennedy also encouraged members to join an

email distribution list if they were interested in receiving information on FDEP upcoming workshops and events.

Mark Perry, Florida Oceanographic Society, stated that cessation of discharges from Lake Okeechobee to the St. Lucie estuary has resulted in some recovery of salinity, Roosevelt Bridge now measuring 22 parts/1,000, the Prairie Bridge now measuring 28-30 parts/1,000, and signs of recovering seagrasses and oyster restoration. Mr. Perry announced that the Everglades Coalition Conference was upcoming on January 9 -11 in Naples.

Nancy Payton, Florida Wildlife Federation (FWF), in December Ms. Payton and Martha Musgrove along with FWF Board Member Franklin Adams toured Picayune Strand Restoration and urged WRAC members to tour the project. Ms. Payton thanked Ernie Barnett, Tom Teets, LTC Greco, Chad Kennedy and all others that have been involved with the Picayune Strand Restoration Project because Picayune serves as an example that large, complex projects can be successfully completed. Ms. Payton cautioned that managing agencies of restoration projects should be in alignment with the goals of the restoration. Ms. Payton stated that she read the Florida Fish and Wildlife Commission's (FWC) position paper on Everglades restoration and concerns of wildlife and urged WRAC members to also read the report and suggested having FWC present the position paper at a future WRAC meeting.

Joe Capra, CAPTEC Engineering, Inc., stated that he looked forward to a good year and hoped to move more restoration projects forward.

Jane Graham, Audubon Florida, stated that last year there was a ribbon cutting for the C-111 Spreader Canal western component and Audubon scientists are collecting data that shows that benefits are being realized such as improvements in fresh water flow, submerged vegetation, fish counts and spoonbill nesting in Florida Bay.

Commissioner Shelley Vana, Palm Beach County Board of County Commissioners, stated that she was glad to be a member of WRAC as she learns a great deal from stakeholder discussions which help her to be a better commissioner.

Doug Bournique, Indian River Citrus League, stated that he hoped to see water farming become a reality in 2014 in light of the year we had with heavy rainfall and too much water being released to tide.

James Humble, Miami-Dade Agricultural Practices Advisory Board, discussed the diminishment of the level of service provided for flood control in south Miami-Dade to which modified water deliveries was supposed to address. Mr. Humble stated that the only structure in the entire Central and Southern Flood Control Project (C&SF) that is not discharging water, as designed and intended for 1 in 10 flood protection, is S-197. He stated that the District provides emergency relief when there is standing water on agricultural lands but that a more permanent solution should be developed between the United States Army Corps of Engineers (Corps), the Department of Interior (DOI) and the District. Mr. Humble said that the Corps should host public meetings in Homestead to provide the public with updates and information regarding the activities taking place that will address the issues of flood control.

Barbara Miedema, Sugar Cane Growers Cooperative, stated that there has been an erosion of the agency's core mission of water supply and flood protection and appreciates District Governing Board members, staff and WRAC members for recognizing that flood protection and water

supply efforts are primary mission activities that need to be focused on when trying to balance and prioritize agency focus with restoration initiatives and environmental protection.

Linda McCarthy, Alternate for Malcolm “Bubba” Wade, announced that construction had begun on the Nicodemus project and expressed hopes that the project would be up and running by this year’s wet season.

Mike Collins thanked Ms. Graham for pointing out the success of the C-111 Spreader West project and pointed out that the project was built entirely by the South Florida Water Management District. Mr. Collins said that the Acceler8 model used in the process to complete the C-111 project should not be forgotten. Mr. Collins also agreed that the flooding issue in south Miami-Dade needs to be dealt with.

George Jones commended Mr. Cook on his chairmanship of the WRAC Recreational Issues meeting and encouraged other members to attend. Mr. Jones said that the group allows for exposure to a whole different user group.

Jane Graham requested an update be provided to the WRAC on the Northern Everglades Headwaters Refuge and NRCS projects located in the northern Everglades. Ms. Graham stated that agency counterparts in Washington, DC needed to hear more success stories and learn more about support for projects to encourage them to grant funding and continue to support restoration efforts in Florida.

Blake Guillory, District Executive Director, expressed his hopes for 2014 in terms of getting new projects started and others completed.

Several WRAC members thanked Ernie Barnett for his years of service and wished him luck as he retires from public service.

Public Comment

None.

5. Everglades Restoration Project Prioritization Part 2 - State Restoration Projects - Temperince Morgan, Division Director, Everglades Policy and Coordination, SFWMD

WRAC Member Comment

Barbara Miedema asked for clarification - as part of Restoration Strategies portion of the presentation - on the amount of funding dedicated to the L-8 Flow Equalization Basin (FEB) project in regards to purchase of the pump to be used. Ms. Morgan informed the group that the purchase of the pump was included in the cost estimate.

Nancy Payton asked that staff clarify what is actually being restored when discussing restoration and the list of projects being contemplated. Ms. Morgan responded that the projects comprising Restoration Strategies would specifically address the water quality standards of meeting 10 ppb (parts per billion) needed to restore the Everglades protection area.

WRAC members had a discussion regarding project names and how they could be changed from a series of letters and numbers to properly reflect their purpose. Members were informed that

when projects are identified for development it helps to keep the number system until the project is complete to avoid confusion and then named accordingly.

Doug Bournique stated that this year marks the 16th year since the Ten Mile Creek project was started and he would like to see the project completed.

Kimberly Lawrence, Alternate for Michael Harford, said that she found it interesting that these were restoration projects and stated that she assumed these projects were developed due to the impact of massive land drainage by the creation of the C&SF. Ms. Lawrence also stated that there were no projects included as part of the Kissimmee Chain of Lakes and asked what projects were being considered that would benefit the Kissimmee Chain of Lakes and how much money is budgeted for them.

Mr. Collins stated that in this project prioritization process, areas that are the source of damage being done or areas impacted the most, such as estuaries, should be considered first when prioritizing. Mr. Collins expressed concerns that the Central Everglades Planning Project (CEPP) is being pushed in Washington, DC and may move ahead of projects that should be addressed sooner.

Neale Montgomery, Pavese Law Firm, asked how many projects must be done as part of statutory requirements or settlement agreements. She also asked how much money would be left after those statutory and other legal obligations were met. Ms. Morgan stated that obligations for projects would be included on the table that staff is developing. Ms. Montgomery also asked if there were a separate pot of money being used for water supply and flood protection projects.

Joe Capra agreed with Mr. Collins regarding prioritization based on the areas with heaviest negative impact and thanked staff for preparing the table that had been requested by WRAC members and members of the public. Mr. Capra suggested that at some point an evaluation might take place on the number of jobs created project construction and the costs of operations and maintenance after projects are completed. Mr. Capra suggested that members look at ways to find creative funding sources. Mr. Capra also suggested that agencies look at naming rights

LTC Tom Greco, United States Army Corps of Engineers (USACE), agreed with Mr. Collins regarding concentrating prioritization efforts in areas where the most benefit could be achieved given constraints. LTC Greco stated that CEPP had not been moved ahead of other projects.

Commissioner Vana asked if legislators had been informed of the projects that are being done in correlation to flood protection and flood insurance rates. Mr. Barnett cited the repairs being done on the East Coast Protection Levee as an example of a project that would directly impact FEMA's flood mapping process and may impact insurance rates. Mr. Barnett said that the projects being considered for prioritization do not directly correlate to flood mapping or insurance rates, however, many of the projects, when complete, would allow for additional storage during high rainfall events and offer those additional flood protections to taxpayers.

Barbara Miedema stated that because of the condition of the Herbert Hoover Dike all of the farmlands from Lake Okeechobee to 20-Mile Bend are considered to be in the high-risk category and will increase insurance rates for the eastern and southern portion of the Everglades Agriculture Area. Ms. Miedema said it is important that system-wide rehabilitation stay on track. Ms. Miedema said that the 16 County Coalition has prioritized projects with a razor-sharp focus on their mission and commended their efforts in prioritizing the Herbert Hoover Dike. Mr. Barnett agreed that the Herbert Hoover Dike should and has been a high priority for the state and

the USACE due to its effect on the level of flood control in the EAA and the catastrophic effect of fresh water releases east and west to the estuaries.

Mark Perry stated that non-CERP projects like the Herbert Hoover Dike, Kissimmee River Restoration and C-111 South Dade and Modified Water Deliveries are projects that the state and the USACE already have in the works and should be somehow captured in the table. Mr. Perry stated that CEPP should be related back to the original 68 CERP components so that members can see how they connect. Mr. Perry also stated that state projects such as dispersed water storage be included on the table so that there is a clear understanding of all of the projects that are being considered or already in progress and how they relate to overall restoration of the system. Mr. Perry stated that he hopes that the Ten Mile Creek project will be completed as soon as possible.

Jane Graham stated that there were many important projects and raised a question regarding funding and how WRAC members might be able to help with legislative appropriations for projects. Ms. Graham asked what can be done to replace storage features that would have been associated with the Lake Okeechobee Watershed project had it been planned and designed as conceived. Ms. Morgan stated that dispersed water management program in the northern Everglades is an effort to fill some of the void while the Lake Okeechobee Watershed project is further developed.

James Erskine, Miccosukee Tribe of Indians, stated that Restoration Strategies components are based on a court order and a settlement agreement, have associated due dates, and are required to be implemented. Mr. Erskine said that water quality is widely recognized as a constraint to the progress of many projects. He also said that staff should look for opportunities to accelerate construction or design wherever they can.

Barbara Miedema asked why Aquifer Storage and Recovery (ASR) was being categorized under “state projects.” Ms. Morgan stated that ASR could be listed either under state projects or federal projects and continues to be a coordination of efforts between the state and the federal government. Ms. Morgan stated that staff is currently waiting on the Regional study to be released and within the CERP framework there needs to be further discussion to determine the next-steps.

Public Comment

Martha Musgrove, Florida Wildlife Federation, commended Ms. Morgan for her efforts in presenting all of the projects to be considered for prioritization. Ms. Musgrove asked the WRAC members consider the prioritization process in terms of the state’s budget and the timing for submitting the budget for legislative review. Ms. Musgrove stated that an identified source of funding is available for the C-139 Western Basin and that members needed to look closely at that project.

Bob Ulevich, Alternate to Doug Bournique, Indian River Citrus League, stated that it is important the right people were chosen as participants in the prioritization process. He stated that the Indian River Citrus league, specifically himself and Doug Bournique should maintain membership due to their role in bringing forth the idea of water farming. Mr. Ulevich said that this was the 15th year that the Citrus League proposed the reconnection of the two water management districts that were disconnected by legislative action in the 1970s with regional attenuation and any discussions regarding reconnection should also involve the Indian River Citrus League, specifically himself and Doug Bournique. Mr. Ulevich stated that any projects

that appear on the current prioritization list or any projects that are being contemplated for the future should consider sea-level rise in both design and construction.

Drew Martin, Sierra Club, expressed Sierra Club concerns that ASR is not going to work and has been funded heavily and should be reevaluated and other alternatives should be sought. Mr. Martin stated that there has been lots of talk about creating a flowway south and there should be consideration on how to develop that idea and at some point it should be included in the priority list. Mr. Martin said that the Sierra Club supports dispersed water storage but would like cost efficiencies to be considered in the process of contract issuance. Mr. Martin expressed concerns regarding chloride levels in the L-8 reservoir should be monitored so that clean water is delivered to the Everglades. Mr. Martin stated that the issuance of permits that reduce wetlands should be closely evaluated and that natural resources and lands be considered for restoration instead of so much money being expended on capital projects.

WRAC Members had a discussion about sea-level rise and its consideration when planning new capital projects or retrofitting old ones. Mark Perry and Commissioner Vana suggested adding an agenda item regarding how the District is addressing sea-level rise as it moves forward in designing and constructing projects.

6. Modified Water Deliveries to Everglades National Park and C-111 South Dade Projects Update - Tom Teets, Office Chief, Federal Policy and Coordination, Everglades Restoration and Capital Projects Bureau, Everglades Policy and Coordination Division, SFWMD

WRAC Member Comment

Mike Collins asked for a project status including funding, time frames for land acquisition and construction. Mr. Teets provided that there is currently a land crediting issue with the USACE that are being worked out between the agencies. Mr. Collins stated that there are fundamental issues associated with these projects that WRAC members should know and that the failure to complete this project is holding up the ability to move water south and into Everglades National Park (ENP), rendering many other projects that are being considered through the prioritization exercise useless. Mr. Collins asked that a presentation be provided to WRAC with an accurate and detailed status update. Ernie Barnett responded by saying that key District staff had met with Secretary Darcy and the next step is to develop a new Project Partnership Agreement. Mr. Barnett also provided more detail regarding status as related to land acquisition credits, timing of crediting for temporary construction and permanent construction of structures, working out issues in Appendix A among other issues. Mr. Collins stated that the seepage barrier project

James Humble asked which lands or easements still needed to be acquired. LTC Greco provided that there are six properties that were outstanding or had some issues. Mr. Humble discussed severe impact from high water levels taking place in southern Dade county and the reduction of flood protection in this area which is damaging agriculture. Mr. Humble stated that the USACE and the District need to address this problem. LTC Greco invited a discussion between the USACE and the affected parties in south Dade that are experiencing issues in hopes of addressing the issues.

James Erskine asked, in light of Contract 8 being years from realization, if there were a chance to make incremental improvements in 3273 management. Mr. Teets stated that the USACE was looking into a small increment without having Contract 8 in place by doing some operational testing using the limited facilities that are in place today which may increase the chances of a

small amount of water being delivered to ENP. Mr. Teets stated that there were concerns regarding possibly exceeding nutrient criteria during the testing phase and these issues would need to be worked out prior to any kind of facilities testing.

Newton Cook said the federal government's 10ppb ruling and ENP is the problem with moving water south. Mr. Cook said that legacy phosphorus already in the system and phosphorus coming from north of Lake Okeechobee will always cause more phosphorus than allowed to be delivered south.

James Erskine stated that water could be moved south through incremental changes without violating the Settlement Agreement.

Public Comment

Tom MacVicar, South Dade Agriculture, expressed concerns regarding issues with flood protection in south Dade particularly USACE projects that after Congressional authorization that were not built to their original intent. Mr. MacVicar cited several projects that were designed for the purpose of providing flood relief to farmers but due to changes in design and construction and changing in wording of agreements have created harmful conditions for agriculture in the region. Mr. MacVicar stated that projects have been authorized without operating plans which only occurs in south Dade with projects such as Mod Waters and the C-111 project where there is no knowledge of how to operate structures that have been in place for ten years. Mr. MacVicar stated that the USACE has used the biological opinion developed by the Fish and Wildlife Service to change the authorized purpose of the south Dade conveyance system and that somehow this process should be used to build some trust back into the agricultural community in south Dade.

Carolyn McLaughlin, National Parks Conservation Association, thanked District staff for the update on Mod Waters and C-111. Ms. McLaughlin expressed the importance of completing Contract 8 so that benefits could be realized from Mod Waters.

Drew Martin said that the Sierra Club supports Mod Waters and agreed that water needed to be moved south under the Tamiami Trail bridge. Mr. Martin discussed the expansion of the urban areas into agricultural lands and the subsequent need to protect the people living in those urban areas as causing water to collect on agricultural lands because protecting people is more important than protecting farmland. Mr. Martin said that county commissioners should be held responsible for allowing continued urban development in places like the 8and1/2 square mile area that should not been allowed to build there.

7. Florida Bay Minimum Flows and Levels Update - Don Medellin, Principal Scientist, Applied Sciences Bureau, Water Resources Division, SFWMD

WRAC Member Comment

Nancy Payton asked for clarification regarding what is meant by "violation." Mr. Medellin explained the term "violation" as falling below the minimum flow criteria for a certain duration within a certain frequency - but all three would have to occur. Mr. Medellin said that the term violation does not imply something punishable but serves as an indication of the need to change system operations.

Jane Graham requested a meeting for Audubon and other environmental groups to go through the MFL in more detail.

Mr. Medellin advised WRAC members that the draft document is posted for review and comment on the District website for the next two weeks.

Mark Perry appreciated the graphics used in the presentation and stated that the longer the potential violation the longer it will take for the recovery of the affected resources and noted that a violation may be used as part of a management strategy to deliver water to the resources of concern.

Mike Collins complimented district staff on the science based approach for the MFL update and said the review was comprehensive and objective and not driven by political realities by rather driven by truth. Mr. Collins said the goal was to set an MFL for estuaries and this would be helpful in other estuaries. He also noted that rainfall and seepage contributed about 70% of the 105K acre-feet of flows to Florida Bay. Mr. Collins stated that the focus should be on controlling the remaining 30%.

Doug Yoder, Alternate for John Renfrow, stated that future compliance points within the MFL could be affected by sea-level rise.

Public Comment

Drew Martin asked to be included in the meeting that Ms. Graham suggested. Mr. Martin discussed the importance of the Biscayne Bay as a fishery and the importance of maintaining the MFL.

8. Draft Central Florida Water Initiative Regional Water Supply Plan - Len Lindahl, Assistant Executive Director, Business and Regulatory, SFWMD

WRAC Member Comment

Barbara Miedema stated that the \$3 billion cost of this project is concerning and assumed that the District would have to share that cost and asked how this process factors in the prioritization exercise that WRAC is currently undertaking. Mr. Lindahl agreed that the cost was significant and said it would be addressed by the solutions team as part of the solutions plan and is addressed in the draft Regional Water Supply Plan. Mr. Lindahl said that how the cost is divided would be looked at, in detail, by the solutions team.

Commissioner Karson Turner, Hendry County Board of County Commissioners, stated that economic impact to local communities should be considered when taking on projects of this scale. Commissioner Turner said that these types of projects would garner more local and legislative support if they are presented clearly by showing how specific regions may be impacted fiscally. Commissioner Turner stated that regional fiscal impacts should be integrated into the planning process.

Mr. Lindahl clarified that the \$3 billion is a summation of all 139 projects that are in the draft Water Supply Plan and the solutions team will work to optimize implementation in a manner that achieves the biggest cost benefit.

Newton Cook stated that water is a finite resource and there has been recognition that over permitting has occurred. Mr. Cook stated that careful consideration should be given prior to permit issuance. He stated that natural areas such as the Peace River were dry part of the year

and other natural areas had gone to wooded vegetation due to lack of water in the system, caused in part by over permitting.

Neale Montgomery asked in addition to high costs and over permitting, what happens to current legal permitted users and what happens to agriculture. Ms. Montgomery also questioned if the three involved Water Management Districts (WMDs) would devise a standard way to issue permits since currently all WMDs have different permitting criteria. Mr. Lindahl provided that CFWI's regulatory team is working on ways to improve consistencies in permitting criteria. Ms. Montgomery asked if there were a moratorium on permit issuance through the process and what the near-term projects would be. Mr. Lindahl responded that in the interim points of entry

WRAC members also added that water supply funding should be included as part of the prioritization discussion as a major component of the agency's mission.

Public Comment

Bob Ulevich, Indian River Citrus League, (largely inaudible) stated that Martin and Indian River counties are not a part of the CFWI planning process and spoke about reconnection, a large regional attenuation system that mimics the 1954 flood control project that was approved by Congress and has a lot of potential to solve a lot of the issues that many WRAC members are currently discussing.

Drew Martin stated that there needs to be more emphasis on water conservation and related conservation efforts to a book called "Dune." Mr. Martin discussed the use of "gray" water inside buildings and other conservation methods. He also said that the laws for conservation need to be enforced such as having a rain sensor on automatic sprinkler systems and no lawn-watering during rain events.

9. General Public Comment

Lee Shepard, President, Intracoastal Eco-Systems, LLC stated that he has not heard a lot about the C-51 project in Palm Beach county where he is currently working. Mr. Shepard said that there should be daily monitoring using a Kilroy monitoring unit in the Lake Worth Lagoon and for the Snook Islands where the largest bed of Johnson's seagrass in the world was lost. Mr. Sargent thanked Mr. Shepard for his donation of artificial reefs especially the newest one located near Peanut Island.

10. Adjourn

Mr. Sargent announced that the next monthly WRAC meeting is scheduled for February 6th at South Florida Water Management District headquarters.

The meeting was adjourned at 1:09 PM